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Attorneys for Plaintiff The Guardian Insurance  
and Annuity Company, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

THE GUARDIAN INSURANCE AND  
ANNUITY COMPANY, INC., a  
corporation,

Plaintiff,

vs.

CARLA M. UNTERMANN, an  
individual; PHILLIP UNTERMANN,  
an individual; BRENDA CAMILLI, an  
individual; JOANNE L. GRIGGS, an  
individual; LISA CAMILLI, an  
individual; KATHLEEN BUTLER  
CAMILLI, an individual; RICHARD L.  
CAMILLI, an individual; DOLPH F.  
CAMILLI, an individual; DIANNE R.  
ABRAHAM, an individual; DOUGLAS  
J. CAMILLI, an individual; BRUCE P.  
CAMILLI, an individual; SPCA OF  
SAN MATEO, CALIFORNIA;  
DIANNE R. ABRAHAM, as Successor  
Trustee of the Dolph L. Camilli Bypass  
Trust; WILLIAM H. SHEA, JR., as  
Successor Trustee of the Gerda M.  
Camilli Survivor Trust; CHRIS  
CAMILLI, an individual, and DOES 1  
through 10, inclusive,

Defendants.

Case No: C 07 3557 CRB

**NOTICE OF SETTLEMENT**

CMC Date: May 9, 2008  
Time: 8:30 a.m.  
Ct rm: "8" – 19<sup>th</sup> Floor  
Judge: Hon. Charles R. Breyer

1 TO THE CLERK OF THE ABOVE-ENTITLED COURT:  
2

3 PLEASE TAKE NOTICE that the parties to the above-entitled action have  
4 reached a resolution which disposes of this matter in its entirety. The potential  
5 adverse claimants to the annuity contract proceeds at issue have waived their rights  
6 as beneficiaries of the contracts and have agreed that the proceeds be distributed to  
7 the Defendant Trustees pursuant to the November 17, 2006 order issued by the  
8 Superior Court of San Mateo County, California.  
9

10 The parties are in the process of preparing a stipulation for discharge,  
11 dismissal, and liquidation of the annuity contracts which will dismiss this case with  
12 prejudice. The parties anticipate that the stipulation will be submitted within the  
13 next 60 days to allow time for its translation into German and circulation to the  
14 multiple defendants, some of whom are located outside of the country.  
15

16 The parties request that the May 9, 2008 case management conference be  
17 taken off calendar.  
18

19 DATED: May 6, 2008

LAW OFFICES OF JOHN G. CLARK

20  
21 By: */s/ John G. Clark*  
(As authorized on May 6, 2008)

22 JOHN G. CLARK  
23 Attorney for DIANE R. ABRAHAM, as  
24 an individual and as Successor Trustee  
25 of the Dolph L. Camilli Bypass Trust  
26  
27  
28

1 DATED: May 6, 2008

KEITH P. BARTEL  
JEFFREY R. LOEW  
CARR, McCLELLAN, INGERSOLL,  
THOMPSON & HORN

4 By: */s/ Jeffrey R. Loew*  
(As authorized on May 6, 2008)  
JEFFREY R. LOEW  
Attorneys for WILLIAM H. SHEA, JR.,  
as Successor Trustee of the Gerda M.  
Camilli Survivor Trust

9 DATED: May 6, 2008

DANIEL W. MAGUIRE  
KEIKO J. KOJIMA  
BURKE, WILLIAMS & SORENSEN, LLP

12 By: */s/ Keiko J. Kojima*  
KEIKO J. KOJIMA  
Attorneys for The Guardian Insurance  
and Annuity Company, Inc

15 DATED: May 6, 2008

KIMBERLEY A. FONNER  
LAW OFFICE OF KIMBERLEY A.  
FONNER

18 By: */s/ Kimberley Fonner*  
(As authorized on May 6, 2008)  
KIMBERLEY A. FONNER  
Attorney for Peninsula Humane Society  
& SPCA